

HOUSE JOURNAL

SEVENTY-FOURTH LEGISLATURE, REGULAR SESSION

PROCEEDINGS

FORTY-FIFTH DAY — WEDNESDAY, MARCH 29, 1995

The house met at 10 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 105).

Present — Mr. Speaker; Alexander; Allen; Alonzo; Alvarado; Averitt; Berlanga; Black; Bosse; Brady; Brimer; Carona; Carter; Chisum; Coleman; Combs; Conley; Corte; Counts; Crabb; Craddick; Cuellar, H.; Cuellar, R.; Culberson; Davila; Davis; De La Garza; Dear; Denny; Driver; Dukes; Duncan; Dutton; Edwards; Ehrhardt; Eiland; Elkins; Farrar; Finnell; Giddings; Glaze; Goodman; Goolsby; Gray; Grusendorf; Gutierrez; Haggerty; Hamric; Harris; Hartnett; Hawley; Heflin; Hernandez; Hightower; Hilbert; Hilderbran; Hill; Hirschi; Hochberg; Horn; Howard; Hudson; Hunter, B.; Hunter, T.; Jackson; Janek; Johnson; Jones, D.; Junell; Kamel; King; Krusee; Kubiak; Kuempel; Lewis, G.; Lewis, R.; Longoria; Luna; Madden; Marchant; Maxey; McCall; McCoulskey; McDonald; Moffat; Moreno; Mowery; Munoz; Naishtat; Nixon; Oakley; Ogden; Oliveira; Park; Patterson; Pickett; Pitts; Place; Price; Puente; Rabuck; Ramsay; Rangel; Raymond; Reyna; Rhodes; Rodriguez; Romo; Rusling; Saunders; Seidlits; Serna; Shields; Siebert; Smithee; Solis; Solomons; Staples; Stiles; Swinford; Talton; Telford; Thompson; Tillery; Torres; Turner, S.; Van de Putte; Walker; West; Williamson; Willis; Wilson; Wohlgemuth; Wolens; Woolley; Yarbrough; Yost; Zbranek.

Absent, Excused — Clemons; Cook; Uher.

Absent — Bailey; Danburg; Delisi; Gallego; Greenberg; Holzheuser; Jones, J.; Sadler; Turner, B.

The invocation was offered by David T. Slottje, pastor, Kingwood Community Church, Kingwood, as follows:

Good morning friends. As we begin this day, let's begin in prayer.

Our Heavenly Father, today is the day that you have made and we give you thanks. Thank you for your goodness and grace today. Forgive us our trespasses, and please help us to readily forgive others. May your spirit be our guide this day, as we deliberate critical issues and laws for the people of Texas. We seek wisdom from you, Heavenly Father, so that we may be found worthy and walking by faith. Grant us favor that the decisions made will glorify your holy name. Father, at the end of our work, may the people of Texas be encouraged by the things we do, simply because we have sought to do thy will. We need your help.

And now, oh Lord, we dedicate our minds and hearts to you this day, in the Name of Jesus Christ. Amen.

LEAVES OF ABSENCE GRANTED

The following member was granted leave of absence for today because of important business in the district:

Cook on motion of Goodman.

The following member was granted leave of absence for today because of illness in the family:

Clemons on motion of Johnson.

The following member was granted leave of absence for today because of a death in the family:

Uher on motion of Telford.

MESSAGE FROM THE SENATE

Austin, Texas, March 29, 1995

The Honorable Speaker of the House of Representatives
House Chamber

The Honorable
Mr. Speaker:

I am directed by the Senate to inform the House that the Senate has passed the following:

SCR 38 by Moncrief, memorializing the Congress of the United States to enact legislation to amend the food stamp program by adding a special provision to allow food stamp workers to reissue food stamp benefits to family members fleeing from domestic violence.

SJR 40 by Wentworth, proposing a constitutional amendment relating to the place at which the supreme court sits to transact business.

SB 38 by Brown, et al., relating to individuals permitted to attend the execution of a capital felon.

SB 40 by Bivins, et al., relating to the treatment of repeat sex offenders.

SB 96 by Moncrief, relating to mental health proceedings and the administration of psychoactive medications.

SB 305 by Brown and Wentworth, relating to the creation of an offense involving certain sales of tickets to certain events; providing a penalty.

SB 424 by Madla, relating to the payment in periodic installments of certain penalties owed by certain businesses for violations of law under the jurisdiction of the Texas Natural Resource Conservation Commission.

SB 495 by Henderson, relating to the creation of an offense involving sales of tickets to certain events; providing a penalty.

SB 693 by West, Royce, relating to prison inmate liability for destruction of property at the Texas Department of Criminal Justice.

SB 700 by Sims and Lucio, relating to the registration of pesticides.

SB 876 by Cain, relating to the authority of a municipality to implement a photographic preferential traffic lane enforcement system; providing for imposition of a civil penalty.

SB 982 by Truan, relating to the relationship of governmental entities outside this state, particularly the United Mexican States, to state tax provisions.

SB 1063 by Armbrister, relating to the regulation of package stores.

Respectfully,
Betty King
Secretary of the Senate

(Gallego and Bailey now present)

CAPITOL PHYSICIAN

Speaker Laney presented Dr. Richard Lande of Houston as the "Doctor for the Day."

The house welcomed Dr. Lande and thanked him for his participation in the Physician of the Day Program sponsored by the Texas Academy of Family Physicians.

(Delisi now present)

SIGNED BY THE SPEAKER

The speaker signed in the presence of the house, after giving due notice thereof, the following enrolled resolutions:

HCR 10, HCR 35, HCR 135, HCR 149, SCR 108

HR 469 - ADOPTED

Representative Combs moved to suspend all necessary rules to take up and consider at this time **HR 469**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Combs,

HR 469, Congratulating the Westlake High School girls basketball team.

(Holzheuser now present)

The resolution was read and was adopted without objection.

SCR 107 - ADOPTED (Patterson - House Sponsor)

Representative Patterson moved to suspend all necessary rules to take up and consider at this time **SCR 107**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

SCR 107, Congratulating the residents of Hopkins County on the grand occasion of Hopkins County Day.

The resolution was read and was adopted without objection.

LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence for the remainder of today because of illness in the family:

Conley on motion of S. Turner.

HR 496 - ADOPTED

Representative Brimer moved to suspend all necessary rules to take up and consider at this time **HR 496**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Brimer,

HR 496, Designating March 29, 1995, as Crowley Day.

The resolution was read and was adopted without objection.

INTRODUCTION OF GUEST

The speaker recognized Representative Brimer, who introduced Mayor Nancy Behrens of Crowley.

HCR 143 - ADOPTED

Representative Goodman moved to suspend all necessary rules to take up and consider at this time **HCR 143**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Goodman,

HCR 143, Designating March 29 of this year and each succeeding year as Love the Children Day in Texas.

The resolution was read and was adopted without objection.

HR 457

HR 457, designating March 29, 1995, as Ellis County Day, having been previously adopted, was read.

HR 472 - ADOPTED

Representative Pitts moved to suspend all necessary rules to take up and consider at this time **HR 472**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Pitts,

HR 472, Commending Jack Hightower on the occasion of his retirement.

The resolution was read and was adopted without objection.

HR 460

HR 460, congratulating the Texas Southern University basketball team on its outstanding season, having been previously adopted, was read.

INTRODUCTION OF GUEST

The speaker recognized Representative Coleman, who introduced Robert Moreland, coach of the Texas Southern University basketball team.

HR 481

HR 481, honoring the Texas Southern University debate team, having been previously adopted, was read.

INTRODUCTION OF GUEST

The speaker recognized Representative Coleman, who introduced Dr. Thomas F. Freeman, coach of the Texas Southern University debate team.

HR 508 - ADOPTED

Representative Counts moved to suspend all necessary rules to take up and consider at this time **HR 508**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Counts,

HR 508, Honoring those individuals who participated in the renovation of Moffett Field.

The resolution was adopted without objection.

HR 499 - ADOPTED

Representative Johnson moved to suspend all necessary rules to take up and consider at this time **HR 499**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Johnson, et al.,

HR 499, Designating March 29, 1995, as Lufkin-Nacogdoches Day at the State Capitol.

The resolution was adopted without objection.

HR 505 - ADOPTED

Representative Smithee moved to suspend all necessary rules to take up and consider at this time **HR 505**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Smithee,

HR 505, In memory of Cheryl Campbell, Anna Callie Doyle, Jacob Justin Jones, Marcus King, Brad Lee Stewart, Macy Mark Thomas, and Jared Lee Wright.

The resolution was read and was unanimously adopted by a rising vote.

On motion of Representative Swinford, the names of all the members of the house were added to **HR 505** as signers thereof.

INTRODUCTION OF GUESTS

The speaker recognized Representative Smithee, who introduced the families of Cheryl Campbell, Anna Callie Doyle, Jacob Justin Jones, Marcus King, Brad Lee Stewart, Macy Mark Thomas, and Jared Lee Wright.

RESOLUTIONS REFERRED TO COMMITTEES

The following resolutions were laid before the house and referred to committees:

By Greenberg,

HR 494, Granting Bluebonnet Girls State permission to use the chamber of the House of Representatives.

To Committee on House Administration.

By Greenberg,

HR 495, Granting the government class of Dr. Janice C. May permission to use the house chamber on April 23, 1995.

To Committee on House Administration.

By Laney,

HR 497, Congratulating the Sudan Hornettes basketball team.

To Committee on Rules and Resolutions.

By Laney,

HR 498, Congratulating the Sudan Hornets on winning the boys' Class A state basketball championship.

To Committee on Rules and Resolutions.

By Kubiak,

HCR 151, Acknowledging the Strickland Funeral Home's 95 years of service.

To Committee on Rules and Resolutions.

SIGNED BY THE SPEAKER

The speaker signed in the presence of the house, after giving due notice thereof, the following enrolled resolution:

HCR 135

(Danburg, Greenberg, J. Jones, and B. Turner now present)

HB 3185 - PERMISSION TO INTRODUCE

Representative Munoz moved to suspend the constitutional rule for permission to introduce and have placed on first reading **HB 3185**.

A record vote was requested.

The motion prevailed by (Record 106): 142 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Alexander; Allen; Alonzo; Alvarado; Averitt; Bailey; Berlanga; Black; Bosse; Brimer; Carona; Carter; Chisum; Coleman; Combs; Corte; Counts; Crabb; Craddick; Cuellar, H.; Cuellar, R.; Culberson; Danburg; Davila; Davis; De La Garza; Dear; Delisi; Denny; Driver; Dukes; Duncan; Dutton; Edwards; Ehrhardt; Eiland; Elkins; Farrar; Finnell; Gallego; Giddings; Glaze; Goodman; Goolsby; Gray; Greenberg; Grusendorf; Gutierrez; Haggerty; Hamric; Harris; Hartnett; Hawley; Heflin; Hernandez; Hightower; Hilbert; Hilderbran; Hill; Hirschi; Hochberg; Holzheuser; Horn; Howard; Hudson; Hunter, B.; Hunter, T.; Jackson; Janek; Johnson; Jones, D.; Jones, J.; Junell; Kamel; King;

Krusee; Kubiak; Kuempel; Lewis, G.; Lewis, R.; Longoria; Luna; Madden; Maxey; McCall; McCoulskey; McDonald; Moffat; Moreno; Mowery; Munoz; Naishtat; Nixon; Oakley; Ogden; Oliveira; Park; Patterson; Pickett; Pitts; Place; Price; Puente; Rabuck; Ramsay; Rangel; Raymond; Reyna; Rhodes; Rodriguez; Romo; Rusling; Saunders; Seidlits; Serna; Shields; Siebert; Smithee; Solis; Solomons; Staples; Stiles; Swinford; Talton; Telford; Thompson; Tillery; Torres; Turner, B.; Turner, S.; Van de Putte; Walker; West; Williamson; Willis; Wilson; Wohlgemuth; Wolens; Woolley; Yarbrough; Yost; Zbranek.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Clemons; Conley; Cook; Uher.

Absent — Brady; Marchant; Sadler.

SB 200 ON SECOND READING (Stiles - House Sponsor)

The speaker laid before the house, on its second reading and passage to third reading,

SB 200, A bill to be entitled An Act relating to the alternative fuels program.

The bill was read second time.

(Sadler now present)

Amendment No. 1

Representative Thompson offered the following amendment to the bill:

Amend **SB 200** Engrossed as follows:

1. Amend SECTION 2, Sec. 382.133, Health & Safety Code, Subsection (a), by striking "alternative fuels" from line 7 (page 4) and substituting "compressed natural gas, liquefied natural gas, liquefied petroleum gas, methanol or methanol/gasoline blends of 85 percent or greater, ethanol or ethanol/gasoline blends of 85 percent or greater, or electricity".

2. Amend SECTION 2, Sec. 382.133, Health & Safety Code, Subsection (b), by striking "an alternative fuel" from lines 9-10 (page 4) and substituting "compressed natural gas, liquefied natural gas, liquefied petroleum gas, methanol or methanol/gasoline blends of 85 percent or greater, ethanol or ethanol/gasoline blends of 85 percent or greater, or electricity".

3. Amend SECTION 2, Sec. 382.133, Health & Safety Code, Subsection (c), by striking "alternative fuel" from line 24 (page 4) and substituting "compressed natural gas, liquefied natural gas, liquefied petroleum gas, methanol or methanol/gasoline blends of 85 percent or greater, ethanol or ethanol/gasoline blends of 85 percent or greater, or electricity".

4. Amend SECTION 2, Sec. 382.133, Health & Safety Code, by adding the following subsection: (d) All motor vehicles purchased by a mass transit authority after December 31, 1996, must be in a class or category of vehicles that have been certified to meet for any model year: (1) the clean-fuel vehicle standards applicable under Part C, Subchapter II, of the federal Clean Air Act, as amended (42 U.S.C. Section 7581 et seq.); and (2) emission limits at least as stringent as the applicable low-emission vehicle standards for the clean-fuel

fleet program under 40 C.F.R. Sections 88.104-94 and 88.104-95 as published in the September 30, 1994, Federal Register, regardless of the vehicle' gross vehicle weight.

5. Amend SECTION 4, Sec.382.135, Health & Safety Code, Subsection (a), by striking "an alternative fuel" from lines 25-1 (pages 6-7) and substituting "compressed natural gas, liquefied natural gas, liquefied petroleum gas, methanol or methanol/gasoline blends of 85 percent or greater, ethanol or ethanol/gasoline blends of 85 percent or greater, or electricity".

6. Amend SECTION 11, Subsection (c)(1), Section 14, Chapter 141, Acts of the 63rd Legislature, Regular Session, 1973 (Article 1118x, Vernon' Texas Civil Statutes), as added by Section 8, Chapter 1189, Acts of the 71st Legislature, Regular Session, 1989, and amended by Section 13, Chapter 503, Acts of the 72nd Legislature, Regular Session, 1991, by striking "an alternative fuel" from line 6 (page 19) and substituting "compressed natural gas, liquefied natural gas, liquefied petroleum gas, methanol or methanol/gasoline blends of 85 percent or greater, ethanol or ethanol/gasoline blends of 85 percent or greater, or electricity".

7. Amend SECTION 11, Subsection (c)(2), Section 14, Chapter 141, Acts of the 63rd Legislature, Regular Session, 1973 (Article 1118x, Vernon' Texas Civil Statutes), as added by Section 8, Chapter 1189, Acts of the 71st Legislature, Regular Session, 1989, and amended by Section 13, Chapter 503, Acts of the 72nd Legislature, Regular Session, 1991, by striking "alternative fuel" from line 12 (page 19) and substituting "compressed natural gas, liquefied natural gas, liquefied petroleum gas, methanol or methanol/gasoline blends of 85 percent or greater, ethanol or ethanol/gasoline blends of 85 percent or greater, or electricity".

8. Amend SECTION 11, Subsection (c)(2)(C), Section 14, Chapter 141, Acts of the 63rd Legislature, Regular Session, 1973 (Article 1118x, Vernon' Texas Civil Statutes), as added by Section 8, Chapter 1189, Acts of the 71st Legislature, Regular Session, 1989, and amended by Section 13, Chapter 503, Acts of the 72nd Legislature, Regular Session, 1991, by striking "alternative fuel" from line 18 (page 19) and substituting "compressed natural gas, liquefied natural gas, liquefied petroleum gas, methanol or methanol/gasoline blends of 85 percent or greater, ethanol or ethanol/gasoline blends of 85 percent or greater, or electricity".

9. Amend SECTION 11, Subsection (c)(3), Section 14, Chapter 141, Acts of the 63rd Legislature, Regular Session, 1973 (Article 1118x, Vernon' Texas Civil Statutes), as added by Section 8, Chapter 1189, Acts of the 71st Legislature, Regular Session, 1989, and amended by Section 13, Chapter 503, Acts of the 72nd Legislature, Regular Session, 1991, by striking "alternative fuel" from line 22 (page 19) and substituting "compressed natural gas, liquefied natural gas, liquefied petroleum gas, methanol or methanol/gasoline blends of 85 percent or greater, ethanol or ethanol/gasoline blends of 85 percent or greater, or electricity".

10. Amend SECTION 11, Subsection (c)(4)(A), Section 14, Chapter 141, Acts of the 63rd Legislature, Regular Session, 1973 (Article 1118x, Vernon' Texas Civil Statutes), as added by Section 8, Chapter 1189, Acts of the 71st Legislature, Regular Session, 1989, and amend by Section 13, Chapter 503, Acts

of the 72nd Legislature, Regular Session, 1991, by striking "alternative fuels" from line 8 (page 20) and substituting "compressed natural gas, liquefied natural gas, liquefied petroleum gas, methanol or methanol/gasoline blends of 85 percent or greater, ethanol or ethanol/gasoline blends of 85 percent or greater, or electricity".

11. Amend SECTION 11, Subsection(c)(4)(B), Section 14, Chapter 141, Acts of the 63rd Legislature, Regular Session, 1973 (Article 1118x, Vernon's Texas Civil Statutes), as added by Section 8, Chapter 1189, Acts of the 71st Legislature, Regular Session, 1989, and amended by Section 13, Chapter 503, Acts of the 72nd Legislature, Regular Session, 1991, by striking "alternative fuels" from line 11 (page 20) and substituting "compressed natural gas, liquefied natural gas, liquefied petroleum gas, methanol or methanol/gasoline blends of 85 percent or greater, ethanol or ethanol/gasoline blends of 85 percent or greater, or electricity".

12. Amend SECTION 11, Subsection (c)(4)(B), Section 14, Chapter 141, Acts of the 63rd Legislature, Regular Session, 1973 (Article 1118x, Vernon' Texas Civil Statutes), as added by Section 8, Chapter 1189, Acts of the 71st Legislature, Regular Session, 1989, and amended by Section 13, Chapter 503, Acts of the 72nd Legislature, Regular Session, 1991, by striking "conventional" from line 13 (page 20) and substituting "reformulated".

13. Amend SECTION 12, Subsection (d)(1), Section 14, Chapter 141, Acts of the 63rd Legislature Regular Session, 1973 (Article 1118x, Vernon' Texas Civil Statutes), by striking "alternative fuels" from line 22 (page 20) and substituting "compressed natural gas, liquefied natural gas, liquefied petroleum gas, methanol or methanol/gasoline blends of 85 percent or greater, ethanol or ethanol/gasoline blends of 85 percent or greater, or electricity".

14. Amend SECTION 12, Subsection (d)(2), Section 14, Chapter 141, Acts of the 63rd Legislature, Regular Session, 1973 (Article 1118x, Vernon' Texas Civil Statutes), by striking "alternative fuels" from line 10 (page 21) and substituting "compressed natural gas, liquefied natural gas, liquefied petroleum gas, methanol or methanol/gasoline blends of 85 percent or greater, ethanol or ethanol/gasoline blends of 85 percent or greater, or electricity".

15. Amend SECTION 12, Subsection (d)(3), Section 14, Chapter 141, Acts of the 63rd Legislature, Regular Session, 1973 (Article 1118x, Vernon' Texas Civil Statutes), by striking "alternative fuels" from line 16 (page 21) and substituting "compressed natural gas, liquefied natural gas, liquefied petroleum gas, methanol or methanol/gasoline blends of 85 percent or greater, ethanol or ethanol/gasoline blends of 85 percent or greater, or electricity".

16. Amend SECTION 12, Subsection (d), Section 14, Chapter 141, Acts of the 63rd Legislature, Regular Session, 1973 (Article 1118x, Vernon' Texas Civil Statutes), by adding the following: (4) All motor vehicles purchased by the board after December 31, 1996, must be in a class or category of vehicles that have been certified to meet for any model year: (A) the clean-fuel vehicle standards applicable under Part C, Subchapter II, or the federal Clean Air Act, as amended (42 U.S.C. Section 7581 et seq.); and (B) emission limits at least as stringent as the applicable low-emission vehicle standards for the clean-fuel fleet program under 40 C.F.R. Sections 88.104-94 and 88.104-95 as published in the September 30, 1994, Federal Register, regardless of the vehicle' gross vehicle weight.

17. Amend SECTION 12, Subsection (e), Section 14, Chapter 141, Acts of the 63rd Legislature, Regular Session, 1973 (Article 1118x, Vernon' Texas Civil Statutes), by striking "alternative fuel" from line 20 (page 21) and substituting "compressed natural gas, liquefied natural gas, liquefied petroleum gas, methanol or methanol/gasoline blends of 85 percent or greater, ethanol or ethanol/gasoline blends of 85 percent or greater, or electricity".

18. Amend SECTION 12, Subsection (h)(2)(A), Section 14, Chapter 141, Acts of the 63rd Legislature, Regular Session, 1973 (Article 1118x, Vernon' Texas Civil Statutes), by striking "alternative fuels" from line 22 (page 22) and substituting "compressed natural gas, liquefied natural gas, liquefied petroleum gas, methanol or methanol/gasoline blends of 85 percent or greater, ethanol or ethanol/gasoline blends of 85 percent or greater, or electricity".

19. Amend SECTION 12, Subsection (h)(2)(B), Section 14, Chapter 141, Acts of the 63rd Legislature, Regular Session, 1973 (Article 1118x, Vernon' Texas Civil Statutes), by striking "alternative fuels" from line 25 (page 22) and substituting "compressed natural gas, liquefied natural gas, liquefied petroleum gas, methanol or methanol/gasoline blends of 85 percent or greater, ethanol or ethanol/gasoline blends of 85 percent or greater, or electricity".

20. Amend SECTION 12, Subsection (h)(2)(B), Section 14, Chapter 141, Acts of the 63rd Legislature, Regular Session, 1973 (Article 1118x, Vernon' Texas Civil Statutes), by striking "conventional" from line 2 (page 23) and substituting "reformulated".

21. Amend SECTION 12, Section 14, Chapter 141, Acts of the 63rd Legislature, Regular Session, 1973 (Article 1118x, Vernon' Texas Civil Statutes), by striking the following subsection: "(i) In this section, "alternative fuel" and "conventional" gasoline have the meanings assigned by Section 382.131, Health and Safety Code."

22. Amend SECTION 13, Section 20, Subsection (e)(1), Chapter 683, Acts of the 66th Legislature, 1979 (Article 1118y, Vernon' Texas Civil Statutes), by striking "an alternative fuel" from line 22 (page 23) and substituting "compressed natural gas, liquefied natural gas, liquefied petroleum gas, methanol or methanol/gasoline blends of 85 percent or greater, ethanol or ethanol/gasoline blends of 85 percent or greater, or electricity".

23. Amend SECTION 13, Section 20, Subsection (e)(2), Chapter 683, Acts of the 66th Legislature, 1979 (Article 1118y, Vernon' Texas Civil Statutes), by striking "alternative fuel" from line 3 (page 24) and substituting "compressed natural gas, liquefied natural gas, liquefied petroleum gas, methanol or methanol/gasoline blends of 85 percent or greater, ethanol or ethanol/gasoline blends of 85 percent or greater, or electricity".

24. Amend SECTION 13, Section 20, Subsection (e)(2)(C), Chapter 683, Acts of the 66th Legislature, 1979 (Article 1118y, Vernon' Texas Civil Statutes), by striking "alternative fuels" from line 9 (page 24) and substituting "compressed natural gas, liquefied natural gas, liquefied petroleum gas, methanol or methanol/gasoline blends of 85 percent or greater, ethanol or ethanol/gasoline blends of 85 percent or greater, or electricity".

25. Amend SECTION 13, Section 20, Subsection (e)(3), Chapter 683, Acts of the 66th Legislature, 1979 (Article 1118y, Vernon' Texas Civil Statutes), by striking "alternative fuels" from line 12 (page 24) and substituting "compressed".

natural gas, liquefied natural gas, liquefied petroleum gas, methanol or methanol/gasoline blends of 85 percent or greater, ethanol or ethanol/gasoline blends of 85 percent or greater, or electricity".

26. Amend SECTION 13, Section 20, Subsection (e)(4)(A), Chapter 683, Acts of the 66th Legislature, 1979 (Article 1118y, Vernon' Texas Civil Statutes), by striking "alternative fuels" from line 21 (page 24) and substituting "compressed natural gas, liquefied natural gas, liquefied petroleum gas, methanol or methanol/gasoline blends of 85 percent or greater, ethanol or ethanol/gasoline blends of 85 percent or greater, or electricity".

27. Amend SECTION 13, Section 20, Subsection (e)(4)(B), Chapter 683, Acts of the 66th Legislature, 1979 (Article 1118y, Vernon' Texas Civil Statutes), by striking "alternative fuels" from line 24 (page 24) and substituting "compressed natural gas, liquefied natural gas, liquefied petroleum gas, methanol or methanol/gasoline blends of 85 percent or greater, ethanol or ethanol/gasoline blends of 85 percent or greater, or electricity".

28. Amend SECTION 13, Section 20, Subsection (e)(4)(B), Chapter 683, Acts of the 66th Legislature, 1979 (Article 1118y, Vernon' Texas Civil Statutes), by striking "conventional" from line 1 (page 25) and substituting "reformulated".

29. Amend SECTION 13, Section 20, Subsection (f)(1), Chapter 683, Acts of the 66th Legislature, 1979 (Article 1118y, Vernon' Texas Civil Statutes), by striking "alternative fuels" from line 6 (page 25) and substituting "compressed natural gas, liquefied natural gas, liquefied petroleum gas, methanol or methanol/gasoline blends of 85 percent or greater, ethanol or ethanol/gasoline blends of 85 percent or greater, or electricity".

30. Amend SECTION 13, Section 20, Subsection (f)(2), Chapter 683, Acts of the 66th Legislature, 1979 (Article 1118y, Vernon' Texas Civil Statutes), by striking "alternative fuels" from line 19 (page 25) and substituting "compressed natural gas, liquefied natural gas, liquefied petroleum gas, methanol or methanol/gasoline blends of 85 percent or greater, ethanol or ethanol/gasoline blends or 85 percent or greater, or electricity".

31. Amend SECTION 13, Section 20, Subsection (f)(3), Chapter 683, Acts of the 66th Legislature, 1979 (Article 1118y, Vernon' Texas Civil Statutes), by striking "alternative fuels" from line 1 (page 26) and substituting "compressed natural gas, liquefied natural gas, liquefied petroleum gas, methanol or methanol/gasoline blends of 85 percent or greater, ethanol or ethanol/gasoline blends of 85 percent or greater, or electricity".

32. Amend SECTION 13, Section 20, Subsection (f), Chapter 683, Acts of the 66th Legislature, 1979 (Article 1118y, Vernon' Texas Civil Statutes), by adding the following: (4) All motor vehicles purchased by the authority after December 31, 1996, must be in a class or category of vehicles that have been certified to meet for any model year: (A) the clean-fuel vehicle standards applicable under Part C, Subchapter II, of the federal Clean Air Act, as amended (42 U.S.C. Section 7581 et seq.): and (B) emission limits at least as stringent as the applicable low-emission vehicle standards for the clean-fuel fleet program under 40 C.F.R. Section 88.104-94 and 88.104-95 as published in the September 30, 1994, Federal Register, regardless of the vehicle' gross vehicle weight.

33. Amend SECTION 13, Section 20, Subsection (g), Chapter 683, Acts of the 66th Legislature, 1979 (Article 1118y, Vernon' Texas Civil Statutes) by striking "alternative fuel" from line 5 (page 26) and substituting "compressed natural gas, liquefied natural gas, liquefied petroleum gas, methanol or methanol/gasoline blends of 85 percent or greater, ethanol or ethanol/gasoline blends of 85 percent or greater, or electricity".

34. Amend SECTION 13, Section 20, Subsection (h), Chapter 683, Acts of the 66th Legislature, 1979 (Article 1118y, Vernon' Texas Civil Statutes), by striking "alternative fuel" from line 17 (page 26) and substituting "compressed natural gas, liquefied natural gas, liquefied petroleum gas, methanol or methanol/gasoline blends of 85 percent or greater, ethanol or ethanol/gasoline blends or 85 percent or greater, or electricity".

35. Amend SECTION 13, Section 20, Chapter 683, Acts of the 66th Legislature, 1979 (Article 1118y, Vernon' Texas Statutes), by striking the following subsection: "(k) In this section, "alternative fuel" and "conventional" gasoline have the meanings assigned by Section 382.131, Health and Safety Code."

36. Amend SECTION 14, Section 6, Subsection (k)(1), Article 1118z, Revised Statutes, by striking "alternative fuel" from line 4 (page 27) and substituting "compressed natural gas, liquefied natural gas, liquefied petroleum gas, methanol or methanol/gasoline blends of 85 percent or greater, ethanol or ethanol/gasoline blends of 85 percent or greater, or electricity".

37. Amend SECTION 14, Section 6, Subsection (k)(2), Article 1118z, Revised Statutes, by striking "alternative fuel" from lines 10-11 (page 27) and substituting "compressed natural gas, liquefied natural gas, liquefied petroleum gas, methanol or methanol/gasoline blends of 85 percent or greater, ethanol or ethanol/gasoline blends of 85 percent or greater, or electricity".

38. Amend SECTION 14, Section 6, Subsection (k)(2)(C), Article 1118z, Revised Statutes, by striking "alternative fuels" from line 17 (page 27) and substituting "compressed natural gas, liquefied natural gas, liquefied petroleum gas, methanol or methanol/gasoline blends of 85 percent or greater, ethanol or ethanol/gasoline blends of 85 percent or greater, or electricity">

39. Amend SECTION 14, Section 6, Subsection (k)(3), Article 1118z, Revised Statutes, by striking "alternative fuels" from line 20 (page 27) and substituting "compressed natural gas, liquefied natural gas, liquefied petroleum gas, methanol or methanol/gasoline blends of 85 percent or greater, ethanol or ethanol/gasoline blends 85 percent or greater, or electricity".

40. Amend SECTION 14, Section 6, Subsection (k)(4)(A), Article 1118z, Revised Statutes, by striking "alternative fuels" from line 4 (page 28) and substituting "compressed natural gas, liquefied natural gas, liquefied petroleum gas, methanol or methanol/gasoline blends of 85 percent or greater, ethanol or ethanol/gasoline blends of 85 percent or greater, or electricity".

41. Amend SECTION 14, Section 6, Subsection (k)(4)(B), Article 1118z, Revised Statutes, by striking "alternative fuels" from line 7 (page 28) and substituting "compressed natural gas, liquefied natural gas, liquefied petroleum gas, methanol or methanol/gasoline blends of 85 percent or greater, ethanol or ethanol/gasoline blends of 85 percent or greater, or electricity".

42. Amend SECTION 14, Section 6, Subsection (k)(4)(B), Article 1118z,

Revised Statutes, by striking "conventional" from line 9 (page 28) and substituting "reformulated".

43. Amend SECTION 14, Section 6, Subsection (1)(1), Article 1118z, Revised Statutes, by striking "alternative fuel" from line 14 (page 28) and substituting "compressed natural gas, liquefied natural gas, liquefied petroleum gas, methanol or methanol/gasoline blends of 85 percent or greater, ethanol or ethanol/gasoline blends of 85 percent or greater, or electricity".

44. Amend SECTION 14, Section 6, Subsection (1)(2), Article 1118z, Revised Statutes, by striking "alternative fuel" from line 2 (page 29) and substituting "compressed natural gas, liquefied natural gas, liquefied petroleum gas, methanol or methanol/gasoline blends of 85 percent or greater, ethanol or ethanol/gasoline blends of 85 percent or greater, or electricity".

45. Amend SECTION 14, Section 6, Subsection (1)(3), Article 1118z, Revised Statutes, by striking "alternative fuels" from line 9 (page 29) and substituting "compressed natural gas, liquefied natural gas, liquefied petroleum gas, methanol or methanol/gasoline blends of 85 percent or greater, ethanol or ethanol/gasoline of 85 percent or greater, or electricity".

46. Amend SECTION 14, Section 6, Subsection (1), Article 1118z, Revised Statutes, by adding the following: (4) All motor vehicles purchased by the department after December 31, 1996, must be in a class or category of vehicles that have been certified to meet for any model year: (A) the clean-fuel vehicle standards applicable under Part C, Subchapter II, of the federal Clean Air Act, as amended (42 U.S.C. Section 7581 et seq.); and (B) emission limits at least as stringent as the applicable low-emission vehicle standards for the clean-fuel fleet program under 40 C.F.R. Section 88.104-94 and 88.104-95 as published in the September 30, 1994, Federal Register, regardless of the vehicle' gross vehicle weight.

47. Amend SECTION 14, Section 6, Subsection (m), Article 1118z, Revised Statutes, by striking "alternative fuel" from line 13 (page 29) and substituting "compressed natural gas, liquefied natural gas, liquefied petroleum gas, methanol or methanol/gasoline blends of 85 percent or greater, ethanol or ethanol/gasoline blends of 85 percent or greater, or electricity".

48. Amend SECTION 14, Section 6, Article 1118z, Revised Statutes by striking the following subsection: "(p) In this section, "alternative fuel" and "conventional" gasoline have the meanings assigned by Section 382.131, Health and Safety Code."

Representative Stiles moved to table Amendment No. 1.

The motion to table prevailed.

SB 200 was passed to third reading. (Gutierrez recorded present, not voting)

MESSAGE FROM THE SENATE

Austin, Texas, March 29, 1995

The Honorable Speaker of the House of Representatives
House Chamber

The Honorable
Mr. Speaker:

I am directed by the Senate to inform the House that the Senate has passed the following:

SCR 111 by Ratliff, commending William Bradford for his many contributions to his state and to the Texas broadcasting industry.

SCR 112 by Madla, proclaiming April 12, 1995, Happy Shahan Day.

I am directed by the Senate to inform the House that the Senate has concurred in House Amendments to the following:

SB 319 by 30 Yeas, 0 Nays

SB 414 by 30 Yeas, 0 Nays

I am directed by the Senate to inform the House that the Senate has refused to concur in House Amendments to **SB 436**, and requests the appointment of a Conference Committee to adjust the differences between the two Houses. The following have been appointed on the part of the Senate: Senator Montford, Chair, Senator Zaffirini, Senator Moncrief, Senator Madla, and Senator Ratliff.

I am directed by the Senate to inform the House that the Senate has refused to concur in House Amendments to **SB 449**, and requests the appointment of a Conference Committee to adjust the differences between the two Houses. The following have been appointed on the part of the Senate: Senator Montford, Chair, Senator Ellis, Senator Gallegos, Senator Madla, and Senator Brown.

Respectfully,
Betty King
Secretary of the Senate

RESOLUTIONS CALENDAR

The speaker laid before the house the following resolution on committee report:

SCR 13 (B. Hunter and Luna - House Sponsors), Recognizing the people of the Republic of China on Taiwan.

The resolution was adopted.

HB 1611 ON SECOND READING

The speaker laid before the house, as postponed business, on its second reading and passage to engrossment,

HB 1611, A bill to be entitled An Act relating to an exemption from the state sales tax for certain ship equipment.

HB 1611 was read second time on March 28 and was postponed until 10 a.m. today.

HB 1611 was passed to engrossment.

HB 1527 ON THIRD READING

The speaker laid before the house, on its third reading and final passage,

HB 1527, A bill to be entitled An Act relating to designating speaker's day as a day to honor former members of the house of representatives.

A record vote was requested.

The bill was read third time and was passed by (Record 107): 135 Yeas, 1 Nay, 1 Present, not voting.

Yeas — Alexander; Allen; Alonzo; Averitt; Bailey; Berlanga; Black; Bosse; Brady; Brimer; Carona; Carter; Chisum; Coleman; Combs; Corte; Counts; Crabb; Craddick; Cuellar, H.; Cuellar, R.; Culberson; Danburg; Davila; Davis; De La Garza; Dear; Denny; Driver; Duncan; Dutton; Edwards; Ehrhardt; Eiland; Elkins; Farrar; Finnell; Gallego; Giddings; Goodman; Goolsby; Gray; Greenberg; Grusendorf; Gutierrez; Haggerty; Hamric; Harris; Hartnett; Hawley; Heflin; Hernandez; Hightower; Hilbert; Hilderbran; Hill; Hirschi; Hochberg; Holzheuser; Horn; Howard; Hudson; Hunter, B.; Hunter, T.; Jackson; Janek; Johnson; Jones, D.; Jones, J.; Junell; Kamel; King; Krusee; Kubiak; Kuempel; Lewis, G.; Longoria; Luna; Madden; Maxey; McCall; McCoulskey; McDonald; Moffat; Moreno; Mowery; Munoz; Naishtat; Nixon; Oakley; Ogden; Oliveira; Park; Pickett; Pitts; Place; Price; Puente; Rabuck; Ramsay; Rangel; Raymond; Reyna; Rhodes; Rodriguez; Romo; Rusling; Sadler; Saunders; Seidlits; Serna; Shields; Siebert; Smithe; Solis; Solomons; Staples; Stiles; Swinford; Talton; Telford; Thompson; Tillery; Turner, B.; Turner, S.; Van de Putte; West; Willis; Wilson; Wohlgemuth; Wolens; Woolley; Yarbrough; Yost; Zbranek.

Nay — Torres.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Clemons; Conley; Cook; Uher.

Absent — Alvarado; Delisi; Dukes; Glaze; Lewis, R.; Marchant; Patterson; Walker; Williamson.

STATEMENTS OF VOTE

I was shown voting no on Record No. 107. I intended to vote yes.

Torres

When Record No. 107 was taken, I was in the hall talking to students. I would have voted yes.

Delisi

When Record No. 107 was taken, I was in the house but away from my desk. I would have voted yes.

Dukes

HB 1792 ON THIRD READING

The speaker laid before the house, on its third reading and final passage,

HB 1792, A bill to be entitled An Act relating to the tuition charged to nonresident students at certain public institutions of higher education.

The bill was read third time.

Amendment No. 1

Representative Coleman offered the following amendment to the bill:

Amend **HB 1792** on 3d Reading by adding an appropriately numbered SECTION to read as follows and by renumbering the existing SECTIONS accordingly:

SECTION __. (a) Section 54.064(a), Education Code, is amended to read as follows:

(a) A student who holds a competitive academic scholarship of at least ~~\$1,000~~ ~~[\$200]~~ for the academic year or summer for which the student is enrolled and who is either a nonresident or a citizen of a country other than the United States of America is entitled to pay the fees and charges required of Texas residents without regard to the length of time the student has resided in Texas. The student must compete with other students, including Texas residents, for the academic scholarship and the scholarship must be awarded by a scholarship committee officially recognized by the administration and be approved by the Texas Higher Education Coordinating Board under criteria developed by the board.

(b) The change in law made by this Section to Section 54.064, Education Code, applies beginning with tuition charged for the fall semester of 1995, except that a student awarded a scholarship before September 1, 1995, for a semester or term of the 1995-1996 academic year that would have made the student eligible to pay resident tuition under Section 54.064 as that section existed on January 1, 1995, is covered by Section 54.064 as that section existed on January 1, 1995, for each semester or term of the 1995-1996 academic year for which the student receives the scholarship.

Amendment No. 1 was adopted without objection.

Amendment No. 2

Representative Smithee offered the following amendment to the bill:

Amend **HB 1792** on third reading by adding two new sections, appropriately numbered, to read as follows:

SECTION __. Subchapter B, Chapter 54, Education Code, is amended by adding Section 54.0601 to read as follows:

Sec. 54.0601. NONRESIDENT TUITION RATES AT CERTAIN INSTITUTIONS. On the written request of the governing board of a general academic teaching institution located not more than 100 miles from the boundary of this state with another state, the Texas Higher Education Coordinating Board may set a nonresident tuition rate that is lower than the nonresident tuition rate otherwise provided by this chapter if the coordinating board determines that the lower rate is in the best interest of the institution and will not cause unreasonable harm to any other institution of higher education.

SECTION __. Section 61.059, Education Code, is amended by adding Subsection (m) to read as follows:

(m) For an institution that charges a reduced nonresident tuition rate under Section 54.0601, the board may not include in a formula under this section funding based on the number of nonresident students enrolled at the institution in excess of six percent of the total number of students enrolled at the institution.

Amendment No. 2 was adopted without objection. (Hartnett recorded voting no)

HB 1792, as amended, was passed.

HB 553 ON THIRD READING

The speaker laid before the house, on its third reading and final passage,

HB 553, A bill to be entitled An Act relating to the operation of community mental health and mental retardation centers.

The bill was read third time and was passed.

HB 1020 ON THIRD READING

The speaker laid before the house, on its third reading and final passage,

HB 1020, A bill to be entitled An Act relating to the regulation of savings banks.

The bill was read third time and was passed.

HB 994 ON THIRD READING

The speaker laid before the house, on its third reading and final passage,

HB 994, A bill to be entitled An Act relating to the employment of children in certain activities.

The bill was read third time.

Amendment No. 1

Representative Delisi offered the following amendment to the bill:

Amend **HB 994** on third reading as follows:

(1) Strike "and" following Section 51.015(a)(2).

(2) Strike Section 51.015(a)(3) and substitute the following:

(3) performs the duties of the occupation:

(A) under the direct supervision of the child's parent or an adult having custody of the child;

(B) for a business owned or operated by child's parent or guardian; or

(C) for a business when written and notarized parental consent has been given; and

(4) operates a vehicle that has no more than two axles and does not exceed a gross vehicle weight rating of 15,000 pounds.

Amendment No. 1 was adopted without objection.

HB 994, as amended, was passed.

HB 307 ON THIRD READING

The speaker laid before the house, on its third reading and final passage,

HB 307, A bill to be entitled An Act relating to a municipality's authority to obtain a lien against certain dangerous structures.

The bill was read third time.

Representative Park moved to postpone consideration of **HB 307** until 10 a.m. Wednesday, April 5.

The motion prevailed without objection.

HB 1353 ON THIRD READING

The speaker laid before the house, on its third reading and final passage,

HB 1353, A bill to be entitled An Act relating to the bonding or insurance requirements of a political subdivision for the issuance of certain plumbing permits.

The bill was read third time and was passed.

HB 94 ON THIRD READING

The speaker laid before the house, on its third reading and final passage,

HB 94, A bill to be entitled An Act relating to the use of deadly force in defense of a person.

The bill was read third time and was passed.

HB 795 ON SECOND READING

The speaker laid before the house, on its second reading and passage to engrossment, the complete committee substitute for **HB 795**.

CSHB 795, A bill to be entitled An Act relating to reinstatement, purchase, and transfer of service credit between the Employees Retirement System of Texas and the Teacher Retirement System of Texas.

CSHB 795 was read second time.

Amendment No. 1

Representative Hightower offered the following amendment to **CSHB 795**:

Amend **CSHB 795** on page 1, line 17, by striking "(b)" and substituting "(a)".

Amendment No. 1 was adopted without objection.

CSHB 795, as amended, was passed to engrossment. (Shields recorded voting no)

HB 1264 ON SECOND READING

The speaker laid before the house, on its second reading and passage to engrossment,

HB 1264, A bill to be entitled An Act relating to service required under the Teacher Retirement System of Texas in certain circumstances to qualify for group insurance coverage.

The bill was read second time and was passed to engrossment.

HB 722 ON SECOND READING

The speaker laid before the house, on its second reading and passage to engrossment, the complete committee substitute for **HB 722**.

CSHB 722, A bill to be entitled An Act relating to liability for false disparagement of perishable food products.

CSHB 722 was read second time.

Amendment No. 1

Representative H. Cuellar offered the following amendment to **CSHB 722**:

Amend **CSHB 722** as follows:

On page 1, Section 1 of the bill, beginning on line 23, strike all of Section 96.003 after "Proof." and insert in its place "In determining if information is false, the trier of fact shall consider whether the information was based on reasonable and reliable scientific inquiry, facts, or data."

Amendment No. 1 was adopted without objection.

Amendment No. 2

Representative Bailey offered the following amendment to **CSHB 722**:

Amend **CSHB 722** as follows:

Add a new section 96.004 and renumber the remaining section(s) accordingly,

Sec. 96.004. REMITTITUR. Any producer recovering damages under this chapter shall remit such damages with interest if scientific data developed subsequent to the finding of liability establishes that the statement upon which liability was based was not false.

Representative B. Turner moved to table Amendment No. 2.

The motion to table prevailed.

Amendment No. 3

Representatives Bailey and Dutton offered the following amendment to **CSHB 722**:

Amend **CSHB 722** as follows:

In SECTION 1, add a new Sec. 96.004.

Sec. 96.004. AFFIRMATIVE DEFENSES. It shall be an affirmative defense to liability under this chapter, if the statement was made:

- (a) by a child under the age of 13,
- (b) by a person who can demonstrate a bona fide traumatic stress disorder related to any agricultural or aquacultural product,
- (c) by a former president,
- (d) about broccoli, succotash, breadfruit, liver, brussel sprouts, okra, or any other demonstrably icky tasting food or food additive,
- (e) by a person 13 years of age or older,
- (f) by a comedian with an annual income of less than \$17,000, or
- (g) a chef who:
 - (1) is French,
 - (2) can speak with a credible French accent, or
 - (3) is Belgian.

Representative B. Turner moved to table Amendment No. 3.

The motion to table was withdrawn.

Amendment No. 3 was withdrawn.

Amendment No. 4

Representative Hirschi offered the following amendment to **CSHB 722**:

Amend **CSHB 722** as follows:

Add a new Section 96.004 to read as follows:

Sec. 96.004. EXCEPTION. Nothing in this chapter or in any other provision of law shall be construed as to create liability based on disparagement for agricultural product marketing or labeling of organic or hormone free production practices.

Representative B. Turner moved to table Amendment No. 4.

The motion to table prevailed.

CSHB 722, as amended, was passed to engrossment.

HB 172 ON SECOND READING

The speaker laid before the house, on its second reading and passage to engrossment,

HB 172, A bill to be entitled An Act relating to fees charged by a notary public.

The bill was read second time.

Amendment No. 1 (Committee Amendment No. 1)

On behalf of Representative Yarbrough, Representative Thompson offered the following committee amendment to the bill:

Amend **HB 172** by Thompson, S. as follows:

On page 1, line 6 after "notary public" add "or its employer".

Amendment No. 1 was adopted without objection.

Amendment No. 2

Representative Kubiak offered the following amendment to the bill:

Amend **HB 172** as follows:

Page 1, line 8 by substituting the figure \$4 and striking the figure \$5, and
On line 11 by striking the figure \$5 and inserting the figure \$4, and
On line 13, by striking the figure \$5 and inserting the figure \$4, and
On line 17 by striking the figure \$10 and inserting the figure \$6 and
On line 20, by striking the figure \$7 and inserting the figure \$6 and
On line 22 by striking the figure \$10 and inserting the figure \$6 and on
Page 2, on line 5, by striking the figure \$7 and inserting the figure \$6 and
on line 6 by striking the figure \$10 and inserting the figure \$6.
20% increase in fees.

Amendment No. 2 was adopted without objection.

HB 172, as amended, was passed to engrossment. (Chisum, Corte, Swinford, and Talton recorded voting no)

HB 44 ON SECOND READING

The speaker laid before the house, on its second reading and passage to engrossment, the complete committee substitute for **HB 44**.

CSHB 44, A bill to be entitled An Act relating to the creation of an offense to limit access by children to certain firearms and to firearms safety education for schoolchildren.

CSHB 44 was read second time.

Amendment No. 1

Representative Place offered the following amendment to **CSHB 44**:

Amend **CSHB 44** on page 2, line 12, by striking "B" and substituting "C".

Amendment No. 1 was adopted without objection.

Amendment No. 2

Representative Kubiak offered the following amendment to **CSHB 44**:

Amend **CSHB 44** as follows:

(1) On page 3, line 25, immediately after the period, insert the following:

"A school district that provides a firearms safety program shall consult with a certified firearms instructor before establishing the curriculum for the program."

(2) On page 4, line 2, immediately after the period, insert the following:

"A school district that provides or participates in a firearms safety program may not permit a student participating in the program, while the student is on district property, to handle a readily dischargeable firearm."

Amendment No. 2 was adopted without objection.

Amendment No. 3

Representative Holzheuser offered the following amendment to **CSHB 44**:

Amend **CSHB 44** as follows:

(1) On page 2, line 8, strike "or".

(2) On page 2, line 10, strike the period and substitute the following: : or

(4) occurred during a time when the actor was engaged in an agricultural enterprise.

Amendment No. 3 was adopted without objection.

Amendment No. 4

Representative Greenberg offered the following amendment to **CSHB 44**:

Amend **CSHB 44** as follows: on page 1, amend line 23 to read:

readily dischargeable firearm and the person with criminal negligence:

Amendment No. 4 was adopted without objection.

Amendment No. 5

Representative Greenberg offered the following amendment to **CSHB 44**:

CSHB 44 is to be amended as follows:

On page 4, line 3, insert the following new subsection:

(c) The firearms safety program will meet the standards of the National Rifle Association Eddie Eagle Children's Gun Safety Course.

Amendment No. 5 was adopted without objection.

Amendment No. 6

Representative B. Turner offered the following amendment to **CSHB 44**:

Amend **CSHB 44** as follows:

(1) On page 3, beginning on line 11, strike "public service in a local hospital trauma unit or other" and insert "an" in its place.

Amendment No. 6 was adopted without objection.

Amendment No. 7

Representative B. Turner offered the following amendment to **CSHB 44**:

Amend **CSHB 44** as follows:

On page 1, beginning on line 15, strike everything in Section 46.13(a) after "(3) 'Secure' means" and insert the following "to take steps that a reasonable person would take to prevent the access to a readily dischargeable firearm by a child, including but not limited to placing a firearm in a locked container or temporarily rendering the firearm inoperable by a trigger lock or other means."

Amendment No. 7 was adopted without objection.

HB 44, as amended, was passed to engrossment. (Chisum, King, Ogden, Shields, Staples, Swinford, and Talton recorded voting no)

HB 1529 ON SECOND READING

The speaker laid before the house, on its second reading and passage to engrossment, the complete committee substitute for **HB 1529**.

CSHB 1529, A bill to be entitled An Act relating to examination requirements for certain reappointed police officers.

CSHB 1529 was read second time.

Amendment No. 1

Representative Talton offered the following amendment to **CSHB 1529**:

Amend **CSHB 1529** on page 2, lines 6 through 12, by striking SECTION 5 of the bill and substituting the following:

SECTION 5. (a) This Act takes effect September 1, 1995.

(b) The governmental acts and proceedings of a municipality or of a police department that reemployed or reappointed a police officer who had resigned from the department are validated as of the date they occurred. The acts and proceedings may not be held invalid because they were not performed in accordance with law.

SECTION 6. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Amendment No. 1 was adopted without objection.

CSHB 1529, as amended, was passed to engrossment.

HCR 151 - ADOPTED

Representative Kubiak moved to suspend all necessary rules to take up and consider at this time **HCR 151**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Kubiak,

HCR 151, Acknowledging the Strickland Funeral Home's 95 years of service.

The resolution was adopted without objection.

COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

Juvenile Justice and Family Issues, 2:30 p.m. today, E2.016, Capitol Extension, regular meeting.

Ways and Means, on recess today, Desk 70, to consider **HB 2610** and **SB 821**.

Licensing and Administrative Procedures, 2:30 p.m. today, E1.026, Capitol Extension, to consider all scheduled bills.

Civil Practices, 1:30 p.m. today.

Human Services, 2 p.m. today, Room 101, Reagan Building.

Judicial Affairs, on recess today, Desk 67.

Land and Resource Management, Subcommittee on **HB 1001**, Property Rights, on recess today, Desk 141, to consider **HB 1001**.

Elections, Subcommittee on Judicial Campaign Finance, 1:30 p.m. today, E2.030, Capitol Extension, to consider **HB 262**, et al.

RECESS

Representative D. Jones moved that the house recess until 9 a.m. tomorrow.

The motion prevailed without objection.

The house accordingly, at 12:51 p.m., recessed until 9 a.m. tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

Agriculture and Livestock - **HB 1736**

Criminal Jurisprudence - **HB 1648**

Financial Institutions - **HB 155, HB 1616, HJR 74**

Higher Education - **HB 420**

Natural Resources - **HB 1097**

Public Safety - **HB 523, HB 552**

Transportation - **HB 215, HB 835**

ENGROSSED

March 28 - **HB 1, HB 1284, HB 1409**

ENROLLED

March 28 - **HCR 35, HCR 135, HCR 149**

March 29 - **HCR 10**